

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2014-002527-003 DT

08/29/2016

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT  
I. Huerta  
Deputy

STATE OF ARIZONA

VANESSA MARIE LOSICCO

v.

STEPHEN PAUL LACY (003)

JON MARTINEZ

TRIAL MINUTE ENTRY  
DAY 10

Courtroom SCT 7A

LET THE RECORD REFLECT, on 08/26/2016, State's exhibits 146.001 through 146.012 and State's exhibits 149.001 through 149.053, having been removed from exhibits 146 and 149, are marked for identification.

1:33 p.m. Trial to a jury continues from 08/25/2016. The State is represented by Deputy County Attorney, Vanessa Cuevas. The defendant is present and represented by Defense Counsel, Jon Martinez.

Court Reporter, Jeanne Kappedal, is present.

A record of the proceedings is also made digitally.

LET THE RECORD REFLECT Trial in this matter is being conducted with Trial with co-defendants 001, 002 and 004.

The jury panel is not present.

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Defense counsel Acosta advises the Court, after reviewing the discovery in this matter, he represented one of the Club Lace workers.

The Court takes judicial notice of the aforementioned and takes no action at this time.

1:38 p.m. The jury panel is present.

State's case continues:

Jeffrey Smoger is sworn and testifies.

State's counsel offers exhibit 109.

Defense counsel does not object.

Exhibit 109 is received in evidence.

2:22 p.m. The jury panel is reminded of previous admonitions and excused from the courtroom. Court remains in session.

Counsel present argument to the Court regarding the defendant's objection to the testimony of the current witness.

2:33 p.m. Court stands at recess.

2:40 p.m. Court reconvenes with respective counsel and defendant present.

Court Reporter, Jeanne Kappedal, is present.

A record of the proceedings is also made digitally.

The jury panel is present.

Jeffrey Smoger continues to testify.

State's counsel offers exhibit 255.

Defense counsel objects.

Objection is sustained.

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Exhibit 255 is not received in evidence.

The witness makes an in-court identification of defendant, Cary Barfield.

3:14 p.m. The jury panel is reminded of previous admonitions and excused from the courtroom. Court remains in session.

Court and counsel discuss matters.

3:16 p.m. Court stands at recess.

3:41 p.m. Court reconvenes with respective counsel and defendant present.

Court Reporter, Jeanne Kappedal, is present.

A record of the proceedings is also made digitally.

The jury panel is not present.

Counsel present argument to the Court regarding items of evidence the State intends on offering (exhibits 194 – 199).

The Court reserves ruling on the above issue.

3:48 p.m. The jury panel is present.

Jeffrey Smoger continues to testify.

State's counsel offers exhibits 193 and 200 through 247.

Defense counsel objects.

Objection is overruled.

LET THE RECORD REFLECT counsel approach the bench and discuss matters, on the record, out of hearing of the remaining members in the courtroom.

Exhibits 193 and 200 through 247 are received in evidence.

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Jeffrey Smoger continues to testify.

State's counsel offers exhibit 59.

Defense counsel objects.

LET THE RECORD REFLECT counsel approach the bench and discuss matters, on the record, out of hearing of the remaining members in the courtroom.

Objection is overruled.

Exhibit 59 is received in evidence.

State's counsel offers exhibits 80 and 80.001.

Defense counsel objects.

LET THE RECORD REFLECT counsel approach the bench and discuss matters, on the record, out of hearing of the remaining members in the courtroom.

The Court reserves ruling on the admission of exhibits 80 and 80.001.

4:33 p.m. The jury panel is reminded of previous admonitions and excused until 08/30/2016 at 11:00 a.m. before this division. Court stands at recess until 08/30/2016 at 10:30 a.m.

**ALL OUT OF CUSTODY DEFENDANTS AWAITING A VERDICT SHALL PROVIDE TO THEIR ATTORNEY A MEANS TO CONTACT THE DEFENDANT SO THAT S/HE MAY BE PRESENT FOR THE VERDICT. ALL DEFENDANTS ARE REQUIRED TO STAY IN CONTACT WITH THEIR ATTORNEY SO THAT THEY MAY BE ADVISED THAT A VERDICT IS READY. ALL DEFENDANTS SHALL MAINTAIN PROXIMITY TO THE COURT SUCH THAT THEY MAY BE PRESENT WITHIN 30 MINUTES OF THE NOTICE THAT A VERDICT IS READY. THE FAILURE TO BE PRESENT WITHIN 30 MINUTES OF THE NOTICE THAT THE JURY IS READY TO RETURN THE VERDICT MAY RESULT IN THE COURT FINDING THAT THE DEFENDANT HAS VOLUNTARILY ABSENTED THEMSELF FROM THE PROCEEDINGS AND THE VERDICT MAY BE TAKEN IN THE ABSENCE OF THE DEFENDANT. IN ADDITION, THE FAILURE TO APPEAR FOR THE VERDICT WILL RESULT IN A WARRANT ISSUING FOR THE ARREST OF THE DEFENDANT.**